

“territory” means:

- (a) the land territory, internal waters and territorial sea, including the air space above these areas, of the Party;
- (b) the exclusive economic zone of the Party, as determined by its domestic law, consistent with Part V of the *United Nations Convention on the Law of the Sea*, done at Montego Bay on 10 December 1982 (UNCLOS); and
- (c) the continental shelf of the Party, as determined by its domestic law, consistent with Part VI of UNCLOS;

“Tribunal” means an arbitration tribunal established under Article 23 (Submission of a Claim to Arbitration) or Article 27 (Consolidation) of this Agreement;

“TRIPS Agreement” means the *Agreement on Trade-Related Aspects of Intellectual Property Rights*;

“UNCITRAL Arbitration Rules” means the *Arbitration Rules* of the United Nations Commission on International Trade Law, in their most recent form; and

“WTO Agreement” means the *Marrakesh Agreement Establishing the World Trade Organization*, done at Marrakesh on 15 April 1994.

SECTION B – SUBSTANTIVE OBLIGATIONS

ARTICLE 2

Scope

1. This Agreement shall apply to measures adopted or maintained by a Party relating to:
 - (a) an investor of the other Party; and
 - (b) a covered investment.
2. The obligations in Section B (Substantive Obligations) apply to a person of a Party when it exercises a regulatory, administrative or other governmental authority delegated to it by that Party.